

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: Chair Steve Lavin, on February 2, 2015 at 3:00 PM, in Room 455 Capitol

ROLL CALL

Members Present:

Rep. Steve Lavin, Chair (R)
Rep. Christy Clark, Vice Chair (R)
Rep. Nancy Wilson, Vice Chair (D)
Rep. Rob Cook (R)
Rep. Willis Curdy (D)
Rep. Clayton Fiscus (R)
Rep. Frank Garner (R)
Rep. George G. Kipp III (D)
Rep. Mike Miller (R)
Rep. Lee Randall (R)
Rep. Kathy Swanson (D)

Members Excused: Rep. Margaret (Margie) MacDonald (D)
Rep. Wendy McKamey (R)
Rep. Bridget Smith (D)

Members Absent: None

Staff Present: Kendra Balian, Committee Secretary
Dave Bohyer, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 286, 1/28/2015

00:00:02 Chair Lavin
00:02:02 Rep. McKamey arrived
00:02:17 Rep. Smith arrived

HEARING ON HB 286

Opening Statement by Sponsor:

00:02:46 Rep. Tom Jacobson (D), HD 21, opened the hearing on HB 286, Require roads to remain open during a dispute over legal access.

EXHIBIT(trh23a01)

00:02:59 Rep. MacDonald arrived

Proponents' Testimony:

00:07:19 George Golie, Montana Wildlife Federation (MWF)

EXHIBIT(trh23a02)

00:09:27 John Grimm, Department of Natural Resources and Conservation (DNRC)
00:10:59 Jake Troyer, Montana Audubon
00:13:12 Jerry Davis, Montana Bowhunters Association
00:14:48 Rod Bullis, self
00:17:33 John Gibson, President, Public Land and Water Access Association (PLWA)
00:22:58 John Borggreen, Russell Country Sportmen's Association of Great Falls, and Montana Sportsmen's Alliance
00:24:43 Bill Orsello, self
00:26:43 Lewis Goosey, self
00:30:54 Fred Royce, self
00:33:09 Stan Frasier, Helena Angler's Club

Opponents' Testimony:

00:34:40 Harold Blattie, Executive Director, Montana Association of Counties (MACo)
00:39:23 Mark Robbins, self
00:42:56 Chuck Denowh, United Property Owners of Montana (UPOM)
00:48:05 William Gowen, Montana Land Title Association
00:50:41 Cindy Swank, self

EXHIBIT(trh23a03)

00:56:09 Jay Bodner, Montana Stock Grower's Association, and Montana Cattlewomen, Inc.
01:00:01 Nicole Rolf, Montana Farm Bureau Association
01:02:07 Jean Johnson, Montana Outfitters and Guides Association

Informational Testimony: None

Questions from Committee Members and Responses:

01:02:59 Rep. Cook
01:03:23 Rep. Jacobson
01:03:38 Rep. Cook
01:03:50 John Gibson, President, Public Land and Water Access
01:04:35 Rep. Garner

01:05:05 Rep. Jacobson
01:06:47 Rep. Garner
01:07:20 Rep. Jacobson
01:08:19 Rep. Garner
01:08:33 Rep. Jacobson
01:08:38 Rep. McKamey
01:09:15 Rep. Jacobson
01:10:16 Rep. McKamey
01:10:26 Rep. Jacobson
01:10:45 Rep. McKamey
01:11:03 Rep. Jacobson
01:11:23 Rep. McKamey
01:11:45 Rep. Jacobson
01:12:19 Rep. Miller
01:12:57 Harold Blattie, Executive Director, MACo
01:14:07 Chair Lavin
01:14:32 Rep. Jacobson
01:15:14 Rep. Fiscus
01:16:24 William Gowen, Montana Land Title Association (MLTA)
01:18:07 Rep. Fiscus
01:18:28 William Gowen, MLTA
01:18:57 Rep. Fiscus
01:19:04 William Gowen, MLTA
01:19:24 Rep. Kipp
01:20:30 Mark Robbins, self
01:20:43 Rep. Kipp
01:21:37 Mark Robbins, self

Closing by Sponsor:

01:21:49 Rep. Jacobson

01:25:48 Recess
01:29:47 Reconvened

EXECUTIVE ACTION ON HB 242

01:30:02 **Motion:** Rep. Clark moved that **HB 242 DO PASS.**

Discussion:

01:30:32 Rep. Randall
01:31:14 Rep. Curdy
01:32:06 Chair Lavin

01:32:29 **Vote:** Motion failed unanimously by voice vote.

01:32:49 **Motion/Vote:** Rep. Clark moved that **HB 242 BE TABLED AND THE VOTE REVERSED.** Motion carried.

EXECUTIVE ACTION ON HB 275

01:33:08 **Motion:** Rep. Clark moved that **HB 275 DO PASS.**

Discussion:

01:33:20 Rep. Wilson
01:34:04 Rep. Miller
01:34:20 Rep. Fiscus
01:34:28 Chair Lavin
01:34:52 Rep. MacDonald
01:36:20 Rep. Curdy
01:38:44 Rep. Randall
01:40:11 Rep. Smith
01:40:48 Rep. Garner
01:43:16 Rep. MacDonald
01:45:33 Rep. Swanson

01:47:40 **Vote:** Motion failed 6-8 by roll call vote with Rep. Curdy, Rep. Kipp, Rep. MacDonald, Rep. Smith, Rep. Swanson and Rep. Wilson voting aye.

01:47:54 **Motion/Vote:** Rep. Clark moved that **HB 275 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 280

01:48:19 **Motion:** Rep. Clark moved that **HB 280 DO PASS.**

Discussion:

01:48:29 Rep. Wilson

01:48:56 **Motion:** Rep. Clark moved that **HB 280 BE AMENDED.**
[EXHIBIT\(trh23a04\)](#)

Discussion:

01:49:31 Rep. Wilson

01:49:51 **Vote:** Motion carried 13-1 by voice vote with Rep. Fiscus voting no.

01:50:22 **Motion:** Rep. Clark moved that **HB 280 DO PASS AS AMENDED.**

Discussion:

01:50:37 Rep. Fiscus
01:50:46 Rep. Cook
01:51:11 Rep. Wilson
01:51:58 Rep. Cook
01:52:26 Rep. Clark
01:52:35 Rep. McKamey
01:53:13 Rep. Cook
01:53:18 Dave Bohyer, Legislative Fiscal Division (LFD)

01:53:48 Rep. Cook
 01:53:53 Rep. MacDonald
 01:54:28 Dave Bohyer, LFD
 01:54:39 Rep. McKamey
 01:54:50 Chair Lavin

01:54:57 **Vote:** Motion carried 12-2 by voice vote with Rep. Miller and Rep. Randall voting no.

EXECUTIVE ACTION

01:55:20 Rep. McKamey moved to **REQUEST A COMMITTEE BILL CLARIFYING MOPEDS AS A DESIGNATED NON-LICENSED VEHICLE.**

Discussion:

01:56:00 Rep. Cook
 01:56:37 Rep. Clark
 01:56:47 Rep. Cook
 01:56:55 Rep. Wilson
 01:57:26 Rep. Cook
 01:57:55 Rep. McKamey
 01:58:53 Rep. Randall
 01:59:23 Chair Lavin

01:59:31 **Vote:** Motion carried 13-1 by voice vote with Rep. Wilson voting no.

EXECUTIVE ACTION ON HB 295

02:00:03 **Motion:** Rep. Clark moved that **HB 295 DO PASS.**

02:00:16 **Motion:** Rep. Clark moved that **HB 295 BE AMENDED.**
[EXHIBIT\(trh23a05\)](#)

Discussion:

02:00:31 Dave Boyher, LFD
 02:01:16 Chair Lavin

02:01:21 **Vote:** Motion carried unanimously by voice vote.

02:01:25 **Motion:** Rep. Clark moved that **HB 295 DO PASS AS AMENDED.**

Discussion:

02:01:50 Rep. Miller
 02:02:21 Rep. Fiscus
 02:02:45 Chair Lavin
 02:02:50 Rep. Fiscus
 02:03:03 Chair Lavin
 02:03:20 Rep. Randall
 02:03:49 Rep. McKamey
 02:04:13 Rep. Cook

02:05:11 Rep. Miller
02:05:30 Rep. Garner
02:06:12 Dave Bohyer, LFD
02:07:08 Rep. Garner
02:07:37 Rep. Miller
02:07:53 Dave Bohyer, LFD
02:08:10 Rep. Kipp
02:09:29 Rep. Garner
02:10:33 Rep. Wilson
02:11:22 Rep. Curdy
02:11:31 Rep. Miller

02:12:47 **Vote:** Motion carried 10-4 by roll call vote with Rep. Clark, Rep. Fiscus, Rep. Lavin and Rep. Randall voting no.

EXECUTIVE ACTION ON HB 307

02:13:11 **Motion:** Rep. Clark moved that **HB 307 DO PASS.**

Discussion:

02:13:27 Chair Lavin
02:13:37 Rep. Wilson
02:14:01 Chair Lavin

02:14:14 **Vote:** Motion failed 3-11 by voice vote with Rep. Garner, Rep. Lavin and Rep. McKamey voting aye.

02:14:42 Rep. Curdy

02:15:24 **Motion/Vote:** Rep. Clark moved that **HB 307 BE TABLED AND THE VOTE REVERSED.** Motion carried.

02:15:44 **Motion:** Rep. Curdy moved that **THE COMMITTEE REQUEST AN INTERIM STUDY ON FUEL TAX.**

Discussion:

02:16:13 Rep. Wilson
02:16:34 Rep. Cook
02:17:05 Chair Lavin
02:17:32 Rep. Randall
02:17:39 Rep. Cook
02:17:54 Rep. Miller
02:18:04 Dave Bohyer, LFD
02:18:27 Rep. Miller
02:18:33 Dave Bohyer, LFD
02:19:04 Chair Lavin
02:19:10 Without objection, Rep. Curdy withdrew the motion.

ADJOURNMENT

Adjournment: 02:19:23

Kendra Balian, Secretary

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Additional Documents:

EXHIBIT([trh23aad.pdf](#))